

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
April 7, 2008  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

**PRESENT:**                **COUNCIL MEMBER ROXANNE M. BURNS  
COUNCIL MEMBER JOSEPH M. BUTLER, JR.  
COUNCIL MEMBER PETER L. CLOUGH  
COUNCILMEMBER JEFFREY M. SMITH  
MAYOR GRAHAM**

**ALSO PRESENT:**    **CITY MANAGER MARY M. CORRIVEAU  
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Contract for Use of Buildings and Grounds, Disabled Persons Action Organization
- 2 - Approving Employment Agreement Between the City of Watertown and Donna M. Dutton, City Clerk
- 3 - Approving Amendment No. 63 to the Management and Management Confidential Pay Plan
- 4 - Approving Supplemental Agreement No. 4, Public Square Reconstruction and Streetscape Enhancement Project, Clough, Harbour and Associates, LLP
- 5 - Approving the Site Plan for the Renovation and Expansion Of an Existing Medical Facility and the Construction of a Multistory Parking Garage Located at 830 Washington Street, Parcels No. 14-08-101.001, 14-02-101 and 14-02-201
- 6 - Approving the Special Use Permit Request Submitted By David Kolakowski, to Allow a Garage for Storage Of Motor Vehicles Within a Neighborhood Business Zoning District, Located at 1092 Coffeen Street, Parcel No. 8-32-101
- 7 - An Ordinance Authorizing the Issuance of \$310,000 Bonds Of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Black River Shoreline Improvements at The Hole Brothers Site, In and For Said City
- 8 - An Ordinance Authorizing the Issuance of \$320,000 Bonds Of the City of Watertown, New York, to Pay the Cost of The Development of City Riverfront Parks Along the Black River in the Area from the Watertown Fairgrounds to the Property Known as the Abe Cooper Site, In and For Said City
- 9 - Tabled Resolution – Approving Agreement for Bus Advertising Services, Inkwell Graphix
- 10- Funding Request – Watertown Lodge No. 496, Benevolent and Protective Order of Elks of the United States of America, Inc.
- 11- Monthly Financial Report
- 12- Moody's Investors Service Rating

**COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of March 17, 2008 and the special meeting of March 31, 2008 was dispensed with and accepted as written by motion of Council Member Smith, seconded by Council Member Clough and carried with all voting in favor thereof.

### **COMMUNICATIONS**

From the Jefferson County Historical Society requesting \$5,000 to help fund two major exhibits, temporary exhibits and the Box Lunch Revue in an effort to bring people to downtown Watertown.

### **ABOVE PLACED ON FILE**

The following communications were received from the City Planning Board:

1. Recommending Council approval for a Special Use Permit submitted by David Kolaskowski to allow a garage for storage of motor vehicles within the Neighborhood Business Zoning District located at 1092 Coffeen Street, Parcel No. 8-32-101.
2. Recommending Council approval for a site plan submitted by Richard Brooks of Samaritan Medical Center for the expansion of an existing medical facility and the construction of a multistory parking garage located on the west side of the 800 block of Washington street, Parcels No. 14-08-101.001, 14-02-101, and 14-02-201 contingent upon certain requirements being met as outlined in the resolution.

### **ABOVE PLACED ON FILE**

Claim against the City was received from Paula Tucker for injuries she sustained while skating at the Fairgrounds Ice Arena.

### **ABOVE REFERRED TO THE BOARD OF AUDIT**

### **PRIVILEGE OF THE FLOOR**

**Michelle Appleby** from the Northern Regional Center for Independent Living addressed the chair concerning the creation of a Disability Advisory Board.

Council Member Clough remarked that he thought this should be a county-wide committee.

Ms. Appleby remarked that while she agreed with that, she decided to start with the City.

Council Member Clough also commented that he is sure the City would be willing to put a representative on an advisory board.

Council Member Smith remarked that he believes the Jefferson County Community Services Board makes recommendations.

Mayor Graham asked Ms. Appleby to find out what the Community Services Board is doing and to advise Council on that.

Ms. Appleby will follow up on this.

**Michael DeFranco**, Computer Doc's, addressed the chair thanking DPW crews for keeping Public Square streets clear throughout the winter. He also advised Council that Mrs. Hoffman still has not visited his store and suggested that the City have a full time Mayor form of government.

**S.G. Gates**, Dorsey Street, addressed the chair referring to his letter to the Times and also the fact that he plans on building the dog park this year and needs Council to decide on a location.

**Wayne Zimmer**, Katherine Street, addressed the chair commenting that there needs to be more parking closer to the Farmer's Market.

## **RESOLUTIONS**

### **INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS the City of Watertown desires to run a Summer Recreation and Playground Program within the City of Watertown, and

WHEREAS Disabled Persons Action Organization is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and Disabled Persons Action Organization, and

WHEREAS the City of Watertown deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and the Disabled Persons Action Organization, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Disabled Persons Action Organization from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of DPAO facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute the contract on behalf of the City of Watertown.

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS the Charter of the City of Watertown details the Power and Duties of the Watertown City Council, and

WHEREAS in accordance with §20, Paragraph 5, the Council has a duty to enter into a contract with an appointed City Clerk for a period of time, which may, by reason of its duration, bind a future Council to its terms. However, in no event shall any Council enter into any one contract with an appointed City Clerk for a period exceeding two years, and

WHEREAS the City Council of the City of Watertown has completed a review of the City Clerk's performance, and

WHEREAS the Council feels that the Clerk has served the City of Watertown as provided for in the Charter of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Employment Agreement between the City of Watertown and Donna M. Dutton, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the Employment Agreement on behalf of the City of Watertown.

**SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS**

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 63 to the Management and Management Confidential Pay Plan, effective April 8, 2008, as follows:

Position	Salary
Civil Engineer I - Hammond	\$48,000

Upon obtaining Fundamentals of Engineering designation administered by the State of New York, will move to the existing Civil Engineer I salary.

Upon obtaining Professional Engineer's License from the State of New York, salary will increase by \$3,000.

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS on February 18, 2003, the City Council approved an Agreement with Clough, Harbour and Associates, LLP for the design of the Downtown Streetscape Enhancement Project in the amount of \$127,301, and

WHEREAS Supplemental Agreement No. 4 to the Agreement with Clough, Harbour and Associates, LLP provides for additional costs to perform construction inspection services to the completion of the project, and

WHEREAS City Planner Michael A. Lumbis and City Engineer Kurt Hauk have reviewed Supplemental Agreement No. 4 submitted by Clough, Harbour and Associates, LLP and are recommending that the City Council authorize this Agreement in the amount of \$105,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Supplemental Agreement No. 4 to the contract with Clough Harbour and Associates, LLP in the amount of \$105,000, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that approval of this resolution is subject to City Council approval, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Supplemental Agreement documents on behalf of the City of Watertown.

**SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER SMITH VOTING NAY**

Prior to the vote on the foregoing resolution, City Engineer Kurt Hauk answered

questions posed by Council Member Butler concerning the non-salary costs of reimbursement for travel time and mileage.

Mr. Hauk also advised that the work on State Street and Public Square should be starting up next week. He explained that the City will get the proposed sequence of events next week for review and approval by the City. He said that once all the dates are in place, a newsletter will be sent out.

Council Member Burns suggested a press release as well.

Mr. Hauk stated that it would be done. He also explained that the reference to mail and delivery is for costs incurred for postage as well as courier delivery service such as Fed Ex.

Council Member Butler asked if there would be a Supplemental Agreement No. 5.

Mr. Hauk explained that there might be as this agreement covers daytime operations only.

Council Member Clough asked the status of discussions concerning the paving estimates for State Street.

Mr. Hauk responded that DOT has been supplied with the information and it has to be reviewed. It then goes to Albany for approval. The amount is around \$756,000.

Council Member Clough asked if this had been bonded for by the City.

City Comptroller James Mills explained the procedure that was used.

Mrs. Corriveau remarked that basically, the City made a short term note to cover the costs.

#### **INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS**

WHEREAS Richard Brooks has made an application for a revision to an approved site plan on behalf of Samaritan Medical Center, for the renovation and expansion of an existing medical facility and the construction of a multistory parking garage located at 830 Washington Street, Parcels No. 14-08-101.001, 14-02-101, and 14-02-201, and

WHEREAS the project includes the construction of a 4 level parking garage for approximately 350 cars, a patient pavilion approximately 130,000 square feet in size, the renovation of approximately 72,000 square feet of existing hospital space; the relocation of the existing helipad; and modifications to the facility's existing parking and circulation, and

WHEREAS the Planning Board of the City of Watertown reviewed the revised site plan at its meeting held on April 1, 2008, and recommended that the City Council of the City of Watertown approve the site plan dated March 18, 2008, contingent upon the following:

- 1) A storm water treatment structure shall be required for the new section of storm sewer. This structure shall be reviewed and approved by the City Engineer prior to installation.
- 2) The consultant shall update the plans to show the proposed 25' wide water main easement to extend to Sherman Street. A copy of the draft easement shall be forwarded to the City of Watertown Engineering Department for review prior to filing at the Jefferson County Clerk's Office.
- 3) The consultant shall submit final water main drawings to the City of Watertown Engineering and Water Departments for review. New York State Department of Health approval will be required as part of this project.
- 4) The applicant shall submit a copy of the Storm Water Pollution Prevention Plan SWPPP to the City Engineer. A maintenance schedule for the proposed subsurface storm water retention system and catch basins shall be provided to the City of Watertown Engineering Department.
- 5) The plans shall be reviewed and approved by the Fire Department prior to issuance of any building permit.
- 6) The building permit for the Patient Pavilion shall not be issued until the structure meets the required setbacks. Supporting evidence shall be reviewed and approved by the  
City Engineer.
- 7) The applicant shall combine the lots located along Woodruff Street (Parcels No. 14-02-108, 14-02-109, 14-02-110, 14-02-111 and 14-02-112) with the main lot.
- 8) All construction details shall be provided to the Engineering Department for review and approval.
- 9) The following permits must be obtained from the City before the start of site construction:
  - Sidewalk
  - Sanitary Sewer Permit
  - Storm Sewer Permit
  - Water Connection Permits
- 10) The sidewalk along Washington Street shall be relocated to the westerly

street margin of Washington Street. The landscaping shall be revised in this area to be consistent with the City's adopted Landscaping & Buffer Zone Guidelines. The Site Plan and Landscape Plans shall be updated to reflect this change. Both plans shall be reviewed and approved by the City Engineer prior to issuance of the building permit for the parking garage.

11) Both roof canopies shall maintain a minimum height clearance of 13 feet.

And,

WHEREAS the City Council determined that the project, will not have a significant effect on the environment, and issued a Negative Declaration pursuant to SEQRA on November 19, 2007, and

WHEREAS the proposed site plan revision does not significantly change the environmental impact of the project,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Richard Brooks, on behalf of Samaritan Medical Center, for the expansion of an existing medical facility and the construction of a multistory parking garage located at 830 Washington Street, Parcel No. 14-08-101.001, 14-02-101, and 14-02-201, and as shown on plans submitted to the City Engineer on March 18, 2008, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board recommendation.

**SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS David Kolakowski has made application for a Special Use Permit to allow a garage for storage of motor vehicles within a Neighborhood Business Zoning District, located at 1092 Coffeen Street, Parcel No. 8-32-101, and

WHEREAS the Jefferson County Planning Board reviewed the request for the Special Use Permit at its meeting held on March 25, 2008, pursuant to General Municipal Law Section 239m, and adopted a motion that the project does not have any significant county-wide or inter-municipal issues and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on April 1, 2008, and recommended that the City Council of the City of Watertown approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on April 21, 2008, after due public notice, and



WHEREAS the City Council has determined that the project, as submitted, is a Type II Action under SEQRA and will therefore not require an environmental review,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow a garage for the storage of motor vehicles within a Neighborhood Business zoning district constitutes a Type II Action for the purposes of SEQRA,

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to David Kolakowski, to allow a garage for storage of motor vehicles within a Neighborhood Business zoning district, located at 1092 Coffeen Street, Parcel No. 8-32-101.

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.**

**MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, APRIL 21, 2008 AT 7:30 P.M.**

**MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO TAKE FROM THE TABLE THE RESOLUTION APPROVING AGREEMENT FOR BUS ADVERTISING SERVICES, INKWELL GRAPHIX.**

**MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Council Member Butler asked if the City was going to follow up on the portion of the agreement whereby the City needs to give approval to each ad appearing on the buses.

Mrs. Corriveau explained that it is Inkwell Graphix responsibility to bring each ad to the City that is not in keeping with what the agreement states.

Council Member Burns referred to the previous discussions concerning this issue and remarked that the comments were not critical. However, this program is not being utilized to its fullest extent.

Mrs. Corriveau responded that she agrees. She also commented that there are no ads on the sides of two of three buses.

Mayor Graham asked if it would be better to rent the entire space to Inkwell Graphix rather than for the City to set rates. He stated that he has no problem with Inkwell and feels the City would be better off contracting out the entire space on the buses to them.

Council Member Clough remarked that he assumes staff has talked with Inkwell.

Mrs. Corriveau explained that the Purchasing Agent has spoken with them and they are interested in providing the service. She remarked that if Council wishes, staff can track ads and have conversations with Inkwell.

Mayor Graham remarked that selling ads on a bus is not rocket science. He stated that there are probably 12-15 potential clients for these spaces and there is no reason for them to be empty. The suggestion was made that the empty space have signage indicating that there is ad space for sale and listing the number to call.

Council Member Burns referred to the Silver Speaks exhibit at the Jefferson County Historical Society and the fact that they had great success advertising the event on the buses.

Council Member Clough commented that Mrs. Corriveau should speak with Inkwell.

**MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO TABLE THE FOREGOING RESOLUTION.**

**MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS the City of Watertown is desirous of purchasing a thoroughfare commonly known as Gaffney Drive Extension, together with Sewage Lift Station, located within the boundaries of that thoroughfare, in order to construct public improvements for their better use, and

WHEREAS the owner of the property, RFP Realty, Inc., has agreed to sell Gaffney Drive Extension and Sewage Lift Station upon certain terms and conditions, and

WHEREAS the City Council of the City of Watertown deems it to be in the best interests of the citizens of the City to purchase the property and sewage lift station and to construct public works in connection therewith,

NOW THEREFORE BE IT RESOLVED that the Purchase Agreement, attached herewith to and made a part hereof, is hereby approved and the Mayor shall sign the same on behalf of the City, and

BE IT FURTHER RESOLVED that the City Manager of the City of Watertown shall take all steps reasonable and necessary to effect the transfer as soon as practicable.

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**RULES WAIVED BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Prior to the vote on the foregoing resolution, Attorney Slye answered questions posed by Council concerning the road. He explained that he has spoken with the City Engineer about posting the road as a construction zone so that the City can bring the speed limit down. He also explained that the City will need to establish a reasonable time frame for the repairs of the road. This will be done by resolution. Doing so will help insulate the City from liability under the City Charter.

Mayor Graham remarked that this currently isn't a city street but it has been allowed to be used as one. He asked how long it would take before it was fixed. He also commented that passing a resolution may provide legal justification, but it doesn't put the public on notice.

Mr. Hauk explained that the time frame will depend on what is decided about Western Boulevard.

Mrs. Corriveau also explained that the decision will have to be made as to whether it is better to rebuild or move the lift station. She explained that the property has been surveyed and design for a new street has begun.

**ORDINANCES**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS, by ordinance dated September 18, 2006, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$200,000 bonds of said City to pay the cost of Black River shoreline improvements at the Hole Brothers site, including the design and construction of shoreline and site improvements to convert the area into a small waterfront park with access to the Black River, in and for the City of Watertown, Jefferson County, New York, and incidental expenses in connection therewith, at an estimated maximum cost of \$200,000; and

WHEREAS, the Council now wishes to increase the estimated maximum cost of the aforesaid specific object or purpose from \$ 200,000 to \$310,000, an increase of \$110,000 over that previously authorized;

NOW, THEREFORE BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted September 18, 2006, authorizing the issuance of \$200,000 bonds to pay the cost of Black River shoreline improvements at the Hole Brothers site, including the design and construction of shoreline and site improvements to convert the area into a small waterfront park with access to the Black River, in and for the City of Watertown, Jefferson County, New York, and incidental expenses in connection therewith, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COST OF THE BLACK RIVER SHORELINE IMPROVEMENTS AT THE HOLE BROTHERS SITE, IN AND FOR SAID CITY.

“ . . . .

“Section 1. For the specific object or purpose of paying the cost of Black River shoreline improvements at the Hole Brothers site, including the design and construction of shoreline and site improvements to convert the area into a small waterfront park with access to the Black River, in and for the City of Watertown, Jefferson County, New York, and incidental expenses in connection therewith, there are hereby authorized to be issued \$310,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$310,000 and that the plan for the financing thereof is by the issuance of the \$310,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State or Federal aid received by said City for such specific object or purpose, which monies are hereby appropriated therefore.”

Section B. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

WHEREAS, by ordinance dated September 3, 2002, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$310,000 bonds of said City to pay the cost of the development of City riverfront parks along the Black River in the area from the Watertown Fairgrounds to the property known as the Abe Cooper site, including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York, at an estimated maximum cost of \$310,000; and

WHEREAS, the Council now wishes to increase the estimated maximum cost of the aforesaid specific object or purpose from \$310,000 to \$320,000, an increase of \$10,000 over that previously authorized;

NOW, THEREFORE BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted September 3, 2002, authorizing the issuance of \$310,000 bonds to pay the cost of the development of City riverfront parks along the Black River in the area from the Watertown Fairgrounds to the property known as the Abe Cooper site, including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COST OF THE DEVELOPMENT OF CITY RIVERFRONT PARKS ALONG THE BLACK RIVER IN THE AREA FROM THE WATERTOWN FAIRGROUNDS TO THE PROPERTY KNOWN AS THE ABE COOPER SITE, IN AND FOR SAID CITY.

“ . . . .

“Section 1. For the specific object or purpose of paying the cost of the development of City riverfront parks along the Black River in the area from the Watertown Fairgrounds to the property known as the Abe Cooper site, including incidental expenses in connection therewith and for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued \$320,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$320,000 and that the plan for the financing thereof is by the issuance of the \$320,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State or Federal aid received by said City for such specific object or purpose, which monies are hereby appropriated therefore.”

Section B. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

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**COUNCIL DISCUSSED THE FOLLOWING TOPICS**

**Lansingdorp Park Flag Pole**

Council concurred to take staff's recommendation in regards to the type of pole being placed in that location.

**Request from the Elk's Club**

Council concurred that they did not feel that this is something that the City should give funds for. They asked that a written response be sent to the club.

### **Moody's Rating**

Council Member Butler asked about the rating over the past five years.

Mr. Mills explained that the City has been at A3 with a negative outlook for the past few years. This year, the negative outlook has been removed.

Council Member Butler asked how the City compares to the County and to other municipalities in the area.

Mr. Mills explained that the County is A2. However, he doesn't know the rates for the other municipalities.

Council Member Burns remarked that she would also like to see the other ratings.

### **Boards & Commissions**

Mayor Graham referred to the memo concerning these terms and vacancies.

The following resolution was presented:

#### **INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH**

**RESOLVED** that Anthony Doldo is hereby appointed as the At Large Representative to the Empire Zone Administrative Board.

#### **SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA**

#### **RULES WAIVED BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Discussion was held relative to the Transportation Commission.

Mayor Graham asked if there was a fixed number for this commission. He suggested that perhaps Ms. Appleby would like to serve on this.

Council Member Burns also suggested that there be a Town of Watertown representative added.

Mrs. Corriveau will verify numbers of members and if they are all from the City.

### **Sidewalk and Vault on Court Street**

Mayor Graham asked Mr. Bradley if he wanted to speak about this.

Mr. Bradley, owner of Abbey Carpet, explained that he just wants to get this done as quickly as possible as there are also safety concerns as well.

Mayor Graham asked if City staff had found the letter from Mr. Lui.

Mrs. Corriveau responded that they had not.

Council Member Burns explained that she had heard conflicting reports about the vaults and sidewalk project in the streetscape area. She said that she believes the City is bearing the burden of the cost of the sidewalks and the filling of the vaults is being done by a grant through New York State.

Mayor Graham explained that the decision had been made to fill in the vaults in the streetscape area.

Mrs. Corriveau commented that they had all been filled. She also explained that there are still vaults on Court and Franklin Streets.

Mr. Hauk advised that there are still a few left. He also explained that the work on the vaults on Public Square was done by a change order.

Mayor Graham remarked that it will be nice to have this cleaned up. He explained that Mr. Bradley said he would do the sidewalk and asked for help with the fill. Mayor Graham commented that he would be in favor of trying to resolve this somehow.

Attorney Slye reiterated his previous opinion concerning the fact that if you have a vaulted sidewalk and it benefits the abutting property owner, if the property owner undertook reinforcement of the walk beneath the building, the City would fill it in and do the sidewalk. Several of the buildings around the Square had wall structure damage. At that point, it then became a public work and was a legitimate public expense. If the Council determines that the repair of a sidewalk is a public work, public funds can be used to pay for it.

Council Member Smith asked if based on the history of the area, this would be part of the public area.

Mayor Graham explained that Mr. Bradley is asking the City to fill in the hole and he will put concrete on it.

Mr. Bradley advised that he has put \$4,000 into it to close it up and it will probably cost another \$3,000.



Attorney Slye advised that the City could justify bringing in fill.

Mr. Bradley explained that this is something that has to be a complete process. It can't be done partially and then finished at a later time.

Council Member Clough asked if the City filled this one, would it mean that we would have to fill every vault on Court Street.

Mayor Graham stated that we would have to if they were deficient.

Mayor Graham asked if there was conceptual approval with the Council that this would be for a public use.

Council concurred.

Mrs. Corriveau will communicate with Mr. Bradley.

### **Stateway Plaza**

Council Member Burns discussed the possibility of a public road going through the plaza and asked what effect the legal case the plaza owners have against the City would have on the proposed project.

Attorney Slye explained that this deals with a past tax year, not the future and he can't see it having any connection at all. In fact, he felt that a public road would be a plus for the plaza.

### **Monro Muffler**

Council Member Butler advised that he had received a phone call from a Smith Street resident complaining about this business operating on Sundays. He stated that the resident thought it was a conflict with the original intent.

Mr. Mix explained that he didn't recall if it was one of the conditions. However, it would be very difficult to enforce this if it were a condition of the site plan.

Council Member Clough responded that it was not a condition of the site plan. He stated that he had asked during a meeting if they would be open on Sunday and the response had been no.

Council Member Smith commented that if a company is going to say whatever to get approval and then do whatever they want, it is not right.

Attorney Slye advised that hours of operation are not relative unless it is a special use permit.

Council Member Burns remarked that the business was not being purposely deceitful. It has been three years since they opened and business plans change. She also commented that Arsenal Street is a commercial district.

Mayor Graham commented that the person on Smith Street knows how to use a phone book and how to call Council Members.

Council Member Smith commented that we have a noise ordinance and do nothing to enforce it.

Attorney Slye advised that the only place that has a noise ordinance is Thompson Park.

Mayor Graham suggested that Mr. Natali should be contacted and told that the City can not control the hours of operation.

### **Front Yard Parking**

Council Member Smith commented that a house on the corner of South Pleasant and Franklin Street has been sold and converted into apartments. The yard at the entrance on South Pleasant has been paved. He also commented that a house on lower Academy Street also has front yard parking.

Council Member Clough remarked that there should be some sort of standard if a house is converted from a single house to apartments.

Mr. Mix explained that the house on South Pleasant and Franklin has only one front yard and the owner gets to pick which one it will be. Therefore, a side yard facing a street can be parked on.

### **Mullin Street Parking**

Council Member Butler remarked that the two hour parking signs in the 100 block of Mullin Street are not being honored. He explained that he had spoken with the parking enforcement officer who told him that he does downtown only.

Council Member Burns commented that she also observed vehicles not observing the two hour parking limit.

Mrs. Corriveau will speak to Chief Goss.

### **Energy Policy**

Council Member Butler referred to a memo he had distributed to Council concerning the City's energy policy and plan.

### **Goodale Street**

Council Member Smith asked about the marking on the roadway and asked if it was going to be dug up.

Mrs. Corriveau explained that it was for a fiber connection and would only be on the sidewalk, not the roadway.

### **Bernier Carr report on the Arena**

Council Member Smith asked when Council would receive this.

Mr. Hayes advised that it should be ready for the next or the following Council meeting.

### **Proposed Budget**

Mrs. Corriveau presented the proposed budget to the City Council. She reviewed the current year's accomplishments and explained that this year's budget maintains current service levels, proposes a tax levy increase, along with increase in water and sewer rates, presents a five year capital plan to address our aging infrastructure and facilities, and at the same time preserves fiscally responsible fund balances.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:12 P.M. BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*  
City Clerk